

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

---

**DAVID DeSANTIS**

VS.

**CASE NUMBER: 5:09-cv-530  
(NAM/GHL)**

**THE STATE OF NEW YORK  
and JUDGE KIMBERLY SEAGER**

---

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the July 28, 2009 Report and Recommendation of Magistrate Judge Lowe is accepted and this action is Dismissed in its entirety.

All of the above pursuant to the order of the Honorable Judge Norman A. Mordue, dated the 17<sup>th</sup> day of August, 2009.

DATED: August 18, 2009

  
Clerk of Court

s/  
\_\_\_\_\_  
Melissa Ennis  
Deputy Clerk